IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 22ND JANUARY 2007 / 2ND MAGHA 1928

WP(C).No. 24830 of 2006(E)

PETITIONER:

R. CHANDRIKA, D/O. RAJ,
MUTHUVADATHU PARAMBIL, NEAR THRIKKOVIL,
KOTTOOLI, KOZHIKODE DISTRICT.

BY ADV. SRI.C.R.SIVAKUMAR
SMT.G.VIDYA

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY, DEPARTMENT OF
CO-OPERATION, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
THIRUVANANTHAPURAM.

3. THE ASSISTANT REGISTRAR,
OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE
SOCIETIES, CIVIL STATION, CALICUT.

4. THE GENERAL MANAGER,
THE CALICUT CO-OPERATIVE URBAN BANK LTD.NO.1538,
KALLAI ROAD, CALICUT-673 002.

5. THE SPECIAL SALE OFFICER,
THE CALICUT CO-OPERATIVE URBAN BANK LTD.NO.1538,
KALLAI ROAD, CALICUT-673 002.

BY ADV. SRI.K.N.AJAYAN (R5)
SRI.DEVAPRASANTH.P.J. (R4)
BY SENIOR GOVT. PLEADER SRI.P.K.RAVIKRISHNAN. (R1 TO R3)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 THE TRUE COPY OF THE RELEVANT PAGES OF THE PASS BOOK.

EXT.P2 THE TRUE COPY OF THE DEMAND NOTICE DATED 8.12.2005.

EXT.P3 THE TRUE COPY OF THE NOTICE DATED 16/8/2006

EXT.P4 THE TRUE COPY OF THE REPRESENTATION DATED 25.8.2006.

RESPONDENT'S EXHIBITS:

NIL

//TRUE COPY//

P.S. TO JUDGE.

J.M. JAMES, J.

W.P.(C) No. 24830 of 2006

Dated this the 22nd January, 2007.

J U D G M E N T

The prayer of the writ petitioner is to direct the 4th respondent to consider Ext.P4 representation, dated 25.8.2006, of the writ petitioner, and also to extend the benefits of one time settlement scheme. Counsel appearing for the 4th respondent, however, submitted that the one time settlement facilities are not available for Urban Co-operative Banks. However, the counsel continued to submit that the instalment prayer of the writ petitioner could be considered, and certain other benefits like exemption from penal interest and other possible deductions could be granted.

2. In the above facts situation, I direct the writ petitioner to file a fresh representation before the 4th respondent within 10 days from today. The 4th respondent shall hear the writ petitioner, and fix the amount due, after making possible deductions, as submitted by the counsel before this Court. This shall be done within three weeks from the date of filing of the representation by the writ

petitioner. The instalment facilities that are prepared to be extended to the writ petitioner by the 4th respondent shall also be specified in the final order, that may be passed on the representation.

The writ petition is disposed of as above.

J.M. JAMES,
JUDGE

nj.